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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Christopher C. Cegelski, et al

ALBUM LEAF WITH INSERT

Serial No. 09/973,031

Filed 09 October 2001

Group Art Unit: 3722  
Confirmation No. 5074  
Examiner: Mark T. Henderson

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Paula West*  
Paula West  
11-24-04  
Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**Response**

In response to the Office Action dated August 25, 2004, Applicant respectfully requests reinstatement of the Appeal Brief.

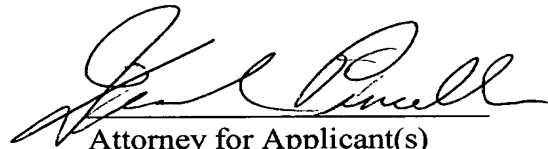
The Examiner, in the Official Action, has stated that the drawings are incomplete for failing "to show a ply layer not having any images thereon, however the images (30 and 32) are now printed on the insert alone as described in the specification (page 7, lines 15-17)". The Examiner has stated that any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. In this regard, Applicant respectfully submit that all of the features claimed are clearly set forth in the specification. The Examiner, in paragraph 3, has noted that claim 33 has been rejected under 35 USC § 112, as containing subject matter not described in the specification. In particular, the Examiner states "Claim 33, which is dependent on Claim 1, discloses wherein the insert further 'includes a low resolution or intensity image copy of the original image provided on the first or second ply layer'". The Examiner goes on to state that the specification at page 7, lines 15-17 argues that the specification does not support this. In this regard, Applicant refers the Examiner to page 11, lines 31 to page 12, line 1 where Applicant refers to FIG. 2C and states that there is provided a low resolution or intensity image copy of the original image provided on the insert. This, in conjunction with the passages

cited at page 7, clearly support the providing of the limitation as currently set forth in claim 33. Applicant respectfully submits the claims are adequately supported by the specification and meet all the requirements of 35 USC § 112.

With regard to the rejection of claims 1, 3-6, 12, and 32, these have been basically rejected for the same reasons previously presented in the Final Rejection.

Accordingly, Applicant respectfully submit that the Brief on appeal is appropriate as currently set forth. Accordingly, Applicant respectfully requests reinstatement of the Appeal Brief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Pincelli", written over a horizontal line.

Attorney for Applicant(s)  
Registration No. 27,370

Frank Pincelli/phw  
Rochester, NY 14650  
Telephone: 585-588-2728  
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.